

**Open Minutes**  
**Missouri Real Estate Commission**  
**December 3, 2015**  
**Missouri Council of School Administrators**  
**3550 Amazonas Drive**  
**Jefferson City, Missouri**

The Missouri Real Estate Commission was called to order by Sharon Keating, Chairperson, at 8:00 a.m. on December 3, 2015, at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

**Commission Members Present**

Charles Davis, Member (CD)  
William Gratz, Member (WG)  
Judith Huntsman, Member (JH)  
Sharon Keating, Member (SK)  
Stephen Kenny, Member (SMK)  
Charles Misko, Public Member (CM)  
Rosemary Vitale, Member (RV) via conference call

**Staff Present**

Joe Denkler, Executive Director  
Darrell Chute, Enforcement Supervisor  
Carmen Cobb, Licensing Supervisor  
Brenda Weston, Examination Field Supervisor  
Sarah Ledgerwood, Division Counsel  
Craig Jacobs, Assistant Attorney General  
Felicia Crawford-Randle, Assistant Attorney General

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

Ms. Keating called the meeting to order and roll call was taken with the following members present: Sharon Keating, Charles Misko, Charles Davis, William Gratz, Judith Huntsman, Stephen Kenny, and Rosemary Vitale.

Motion was made by Mr. Gratz and seconded by Mr. Kenny to approve the open agenda. Motion carried unanimously.

Motion was made by Mr. Davis and seconded by Mr. Kenny to go into closed session under Sections 610.021 (14) and 324.001.8, RSMo, for the purpose of discussing investigative reports, complaints, audits or other information pertaining to a licensee or applicant; under Section 610.021 (1), RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; under Sections 610.021 (1) and 324.001.9, RSMo, for the purpose of deliberation on discipline; under 610.021 (14) and 324.001.8 RSMo for the purpose of discussing applicants for licensure; under Section 610.021 (5) RSMo for the proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or

alcoholism or drug dependency diagnosis or treatment of specific licensees and under the subsections of Section 610.021, RSMo for the purpose of reviewing and approving the closed minutes of one or more previous meetings. Motion carried unanimously.

### **Whitney A. Johnson and WA Johnson Group LLC**

A disciplinary hearing was held in the matter of Whitney A. Johnson and WA Johnson Group LLC. Mrs. Johnson was present and was represented by legal counsel, David F. Barrett. WA Johnson Group LLC was represented by legal Counsel, David F. Barrett. Curtis Schube, Assistant Attorney General, represented the Commission and Sarah Ledgerwood, Division legal counsel, acted as advisor.

Motion was made by Mr. Davis and seconded by Mr. Kenny to go into closed session under Sections 610.021 (14) and 324.001.8, RSMo, for the purpose of discussing investigative reports, complaints, audits or other information pertaining to a licensee or applicant; under Section 610.021 (1), RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; under Sections 610.021 (1) and 324.001.9, RSMo, for the purpose of deliberation on discipline; under 610.021 (14) and 324.001.8 RSMo for the purpose of discussing applicants for licensure; under Section 610.021 (5) RSMo for the proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees and under the subsections of Section 610.021, RSMo for the purpose of reviewing and approving the closed minutes of one or more previous meetings. Motion carried unanimously.

Motion was made by Mr. Davis and seconded by Mr. Kenny to approve the open meeting minutes from the October 7, 2015 Commission meeting. Motion carried unanimously.

Motion was made by Mr. Davis and seconded by Mr. Misko to approve the claims for per diem compensation and expense accounts. Motion carried unanimously.

#### **PER DIEM**

Charles Davis	September 2015	\$ 23.44
Charles Davis	October 2015	\$ 75.00
Twila Hillme	October 2015	\$135.94
Stephen Kenny	July 2015	\$ 32.74
Stephen Kenny	August 2015	\$ 51.54
Stephen Kenny	October 2015	\$194.39
Charles Misko	September 2015	\$ 93.76
Charles Misko	October 2015	\$187.50
Rosemary Vitale	September 2015	\$ 56.25
Rosemary Vitale	October 2015	\$112.50

#### **TRAVEL EXPENSE**

Twila Hillme	October 2015	\$122.71
Charles Davis	October 2015	\$ 92.88
Stephen Kenny	October 2015	\$184.50
Charles Misko	October 2015	\$121.08
Rosemary Vitale	October 2015	\$125.30

## **EXECUTIVE DIRECTOR'S REPORT**

Discussion regarding possible new version of Settlement Statements and licensees' compliance with 2250-8.150.

Discussion regarding attorney exemption:

- If a call is received by a licensee regarding attorney demanding a commission – refer the caller to the applicable sections of the statutes and inform them we cannot provide advice or interpret statutes and that they need to consult with an attorney to obtain a legal opinion. Can also suggest they search the KS Supreme Ct. decision of Stewart Title of the Midwest Inc. vs. Reece & Nichols Realtors Inc. and Patrick E. McGrath.

- If call is received from an attorney regarding the exemption – same answer as above but can also suggest they consult with their regulatory agency (the bar) regarding the request.

Motion was made by Mr. Davis and seconded by Mr. Misko to adjourn the meeting. Motion carried unanimously.



Joseph Denkler, Executive Director

Approved by Commission on 2/10/2016.